



Town of Thetford Vermont

3910 Vermont Route 113 • P.O. Box 126 • Thetford Center, VT 05075
802-785-2922 • thetfordvermont.us

Selectboard Special Meeting *Draft* Agenda
Thetford Town Offices
(w/Virtual Attendance Option)
Monday, January 9th, 2023 7:00 PM

To connect to Zoom via computer: <https://us02web.zoom.us/j/89080661986>

To connect via phone only: +1 (646) 558 8656 | Meeting ID: 890 8066 1986

7:00pm – Call to Order

1. Agenda Review
2. Notes from the Selectboard Chair
3. Town Manager Report
 1. Union Village Bridge Repairs
4. Public Comment
5. Planning Commission Reporting Form for Municipal By-Law Amendments
6. Review of First Draft Warning for Town Meeting
7. Warrants and Minutes
8. Adjourn

Planning Commission Reporting Form for Municipal Bylaw Amendments
Thetford Planning Commission
Proposed 2022 Zoning Bylaw Revisions
 For Hearing on _____

Vermont's Department of Housing and Community Development (DHCD) is creating a database for the use of municipalities throughout the state. In order to get the DHCD the information they need, Planning Commissions are required to submit a written report that describes the changes the PC proposes, using a Plan/Bylaw Reporting Form. What follows is that Report. The PC is proposing two types of changes to the Zoning Ordinance: first, only those changes essential to making certain Thetford is in compliance with State requirements; and second, changes that expand the ability to build ADUs in Thetford. We anticipate a more thorough review and update over the coming 12 months.

All changes made now will be applicable for 24 months after which time, as experience suggests, the town will go through the process of letting them expire or making them permanent.

This report was prepared in accordance with 24 V.S.A. §4441(c) which states:

“When considering an amendment to a bylaw, the planning commission shall prepare and approve a written report on the proposal. A single report may be prepared so as to satisfy the requirements of this subsection concerning by-laws, amendments, and subsection 4384(c) of this title concerning plan amendments. The report shall provide:

(A) Brief explanation of the proposed bylaw, amendment, or repeal and Include a statement of purpose as required for notice under section §4444 of this title:

We propose these amendments in order that the Thetford Zoning Ordinance will better conform with and/or further the goals and policies contained in Thetford's Municipal Plan, particularly the Recommendations contained within Chapter 1 (Housing) of the Town of Thetford 2020 Municipal Plan (<https://www.thetfordvt.gov/home/showpublisheddocument/1436/637426659150870000>). These revisions brings the Town's zoning regulations into compliance with state statute and helps to expand urgently needed housing options.

(B) And shall include findings regarding how the proposal:

1. Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing:

These proposal(s) by the Thetford Planning Commission, in cooperation with the Thetford Selectboard, Thetford Housing Committee and Development Review Board Chair – and in accordance with Chapter 1 (Housing) of the new Town of Thetford 2020 Town Plan – conform fully with the Goals, Policies and Recommendations contained within that document and expand the potential availability of safe and affordable housing (<https://www.thetfordvt.gov/home/showpublisheddocument/1436/637426659150870000>).

Chapter 1. of The Plan mandates that the Town Planning Commission:

1. Update the Zoning Bylaws to further accommodate the development of senior, affordable, and workforce housing.
2. Update the Zoning Bylaws to further accommodate increased housing and rental density in existing structures or development footprints.
3. Update the Zoning Bylaws to require increased energy efficiency and conservation, and restrict greenhouse gas emissions and fossil fuel infrastructure.

Additionally, the Town – as a current participant in the Two Rivers-Ottawaquechee Regional Commission (TRORC) Housing Consortium Project – is actively implementing the fourth (and final) Recommendation:

4. The Town should collaborate with neighboring Towns to fund and develop senior, affordable, and workforce housing.

The implementation of these proposed revisions to housing-related components of the Thetford Zoning Bylaw comport with the State of Vermont 24 V.S.A. § 4415(a):

If a municipality is conducting or has taken action to conduct studies, or has held or is holding a hearing for the purpose of considering a bylaw, a comprehensive plan, or an amendment, extension, or addition to a bylaw or plan, the legislative body may adopt interim bylaws regulating land development in all or a part of the municipality in order to protect the public health, safety, and general welfare and provide for orderly physical and economic growth.

2. Are compatible with the proposed future land uses and densities of the municipal plan:

The proposed revisions – in particular, the proposed Neighborhood Residential Zoning District (Article II, Section 2.01, *Draft of Suggested Changes*) and the proposed Uses by District and Categories of Uses (‘Formulaic/Chain Business description/definition) - are compatible with the current and future land uses and densities described in the 2020 Thetford Town Plan. ADU-related changes to the current Zoning Bylaw are intended to maximize the efficient utilization of available residential land(s) while concurrently remaining compatible with current and future land use(s) throughout Thetford.

3. Carries out, as applicable, any specific proposals for any planned community facilities.

N/A

Amend Section 5.10 as follows:

Section 5.10 Accessory Dwelling Units

(A) Purpose

The purpose for Accessory Dwelling Units (ADU) is to allow an owner of a single--family dwelling to create a subordinate dwelling unit within, attached to or near the primary dwelling.

(B) Determination by the Zoning Administrator ~~and Development Review Board~~

Pursuant to § 4412 (E) of the Act, a single accessory dwelling unit that is located within, or attached to, ~~or detached from a primary single family dwelling on an owner-occupied lot family dwelling~~ shall be a permitted use provided there is compliance with criteria 1 – 4 listed below. ~~A single accessory dwelling unit that is detached from the owner occupied single--family dwelling shall be a conditional use, and must comply with criteria 1 – 3 listed below.~~

1. The property has sufficient wastewater capacity.
2. The unit does not exceed 30 percent of the total habitable floor area of the primary single-family dwelling ~~or 900 square feet, whichever is greater.~~ For the purposes of this regulation “habitable floor area” shall mean the “finished area” of the primary dwelling in the Listers’ records.
3. Applicable setback, coverage, and parking requirements specified in the bylaws are met.
4. ~~The proposed ADU is not in a regulated flood hazard or fluvial erosion area. If the ADU is located in a regulated flood hazard or fluvial erosion area, it shall be subject to conditional use review by the DRB.~~

(C) Standards

1. The maximum number of dwellings on a single lot without Planned Unit Development approval is two, comprised of either one principal dwelling unit and one accessory dwelling unit, or a two--unit dwelling.
- ~~2. The floor area of the accessory dwelling unit shall not exceed 30% of the habitable floor area of the principal dwelling unit, or 500 square feet, whichever is greater.~~
- ~~3. In the case of a detached Accessory Dwelling Unit, the structure housing the Accessory Dwelling Unit must not be located farther than 200 feet from the Principal Dwelling Unit.~~
- ~~4. Where an Accessory Dwelling Unit is planned to be contained within an existing accessory structure, that structure can be located beyond 200 feet from the principal dwelling unit, so long as the existing structure was built in its current location as of January 1, 2011, or at least 10 years prior to the issuing of a permit for a detached Accessory Dwelling Unit.~~
- ~~5. All new accessory dwelling units not attached to or located within the principal dwelling unit will be reviewed under conditional use procedures. (For these applications, Site Plan Review will not be required.)~~
- ~~6. The single-family dwelling or the accessory dwelling unit must be occupied by the owner of the property. In the case of a change in circumstance, i.e. job transfer, sabbatical etc., the owner occupied dwelling unit can be rented out for a period of up to one year.~~

Amend Section 2.01 as follows:

Section 2.01 Zoning Districts and Overlay Districts: General

For the purpose of this Bylaw, the Town as shown on the Zoning Districts map is divided into

four types of zoning district, which are Village Residential, Neighborhood Residential, Community Business, and Rural Residential, and one overlay district, the Thetford Hill Historic Preservation Overlay District. The general purpose of these Districts is to encourage future growth that complements past patterns of development, preserving the rural character of Thetford and strengthening the identity of Thetford's villages. Appropriate development, according to the Town Plan and to these Bylaws, is determined by assessing the proposed usage against the General and Specific Use Provisions and the General Standards for Development Review for both Permitted and Conditional uses. These include requirements for open space protection; wetlands, wildlife, forest resource and agricultural land protection; and protection from the impact of increased traffic from proposed development.

The general purpose of each district shall be as follows:

(A) Village Residential – The purpose of the Village Residential District is to comprise relatively dense areas of settlement with the following characteristics:

- Networks of streets and utilities that make efficient use of land;
- Neighborhoods with resources such as schools, shops and libraries within walking distance of residences;
- Relatively dense housing, noting that villages' lots "grandfathered" before zoning were often smaller than the current minimum of 20,000 square feet;
- Mixed--use development, compatible in scale and lot coverage with existing development, supporting commercial and public services for residents

(B) Neighborhood Residential – Neighborhood Residential land use areas are districts of settlement that are close to Village Residential areas. Their purpose is primarily residential, with a minimum lot size of 20,000 square feet, but they tend to be less dense than Village Residential areas. Accessory dwelling units are a permitted use. A second purpose is to encourage Home Occupations (Home Office, Home Business, and Home Industry) and Commercial Service(s), in accordance with Tables 2.1 and 2.2 (Section 2.04). The NR District is intended to serve as a residential and commercial 'bridge' between Village and Rural Residential Zoning Districts.

(C) Community Business – The purpose of the Community Business district is to share the characteristics of the Village Residential district, with an emphasis on commercial development, compatible in scale and lot coverage with existing development, ranging from small to medium in size.

(D) Rural Residential – The purpose of the Rural Residential district is to maintain an area of low average density that is compatible with clusters of high--density, remaining primarily a district of open space, farms, residences and woodlands, with scattered commercial uses that are either home--based or dependent on natural resources. This area is characterized by development that has

- Particular sensitivity to agriculture and natural resources;
- Minimal sprawl, as the term is defined in Section 8.02.

(E) Thetford Hill Historic Preservation Overlay – The purpose of this district is to ensure the protection, enhancement and renovation of significant architectural and historic resources in Thetford Hill. The District shall preserve such property, districts, buildings, and sites in

the Town having special historical associations or significance or of special architectural merit or significance. While not all buildings are of equal historic significance, all buildings and lands support and contribute to any given district.

Amend Section 2.04 Uses and Standards as follows:

Section 2.04 Uses and Standards

(B) Use Categories

1 & 2 Unit Dwelling: Any use of land or structures comprising one or two residential units in a primary structure. Examples: house, cabin, mobile home, duplex, **1 unit dwelling with 1 accessory dwelling unit in accordance with Section 5.10**

Amend Table 2.1 Uses by District as follows:

Amend Section 8.02 Definitions as follows:

FORMULAIC (CHAIN) BUSINESS

A type of retail store, rental establishment, restaurant, hotel, or motel which, along with fifty (50) or more other business locations within or outside the United States, regardless of ownership of those businesses, maintains two (2) or more of the following features: standardized array of merchandise or standardized menu, standardized facade, standardized decor and color scheme, uniform apparel, standardized signage, or a trademark or service mark.

ACCESSORY DWELLING UNIT: **A distinct unit** ~~An efficiency or one--bedroom apartment~~ that is clearly subordinate ~~(attached or nearby)~~ to a ~~single--unit~~ **single-family** dwelling, and has facilities and provisions for independent living, including sleeping, food preparation and sanitation.

2023 Thetford Town Meeting Warning

The legal voters of the Town of Thetford, in Orange County in the State of Vermont, are hereby warned to meet in the Multi-Purpose Room of Thetford Elementary School, in the Town of Thetford, on Saturday, March 4, 2023 at 10:00 am to transact the following business:

- Article 1 To hear the reports of the Town.
- Article 2 Shall the Town authorize payment of real and personal property taxes by physical delivery to the tax collector before 5 pm on Monday, October 16th, 2023?
- Article 3 Shall the Town raise the sum of _____ (_____) of which _____(_____) shall be raised by taxes and _____(_____) by non-tax revenues for the budgeted expenditures of the Town General Fund?
- Article 4 Shall the Town raise the sum of _____ (_____) of which _____(_____) shall be raised by taxes with _____(_____) from surplus funds, and _____(_____) by non-tax revenues for the budgeted expenditures of the Department of Public Works Fund?
- Article 5 Shall the Town raise the sum of \$327,441 (three hundred twenty seven thousand and four hundred forty-one dollars) as an appropriation to the Thetford Volunteer Fire Dept., Inc.?
- Article 6 Shall the Town vote to exempt for a period of five (5) years the properties located in Post Mills and on Thetford Hill that are owned by the Thetford Volunteer Fire Department and are used exclusively for the purposes of such organization?
- Article 7 Shall the Town raise the sum of \$130,000 (one hundred thirty thousand dollars) as an appropriation to the Thetford Library Federation?
- Article 8 Shall the Town raise the sum of \$5,250 (five thousand and two hundred fifty dollars) as an appropriation to the Lake Fairlee Association whose mission is to protect the health of the lake and its environs?
- Article 9 Shall the Town raise the sum of \$8,000 (eight thousand dollars) as an appropriation to the Community Nurse of Thetford?
- Article 10 Shall the Town raise the sum of 13,000 (thirteen thousand dollars) as an appropriation to the VNA/VNH to provide visiting nurse and hospice care?
- Article 11 Shall the Town raise the sum of 10,000 (ten thousand dollars) as an appropriation to the White River Council on Aging for the purpose of providing services through the Bugbee Senior Center including Meals on Wheels?

- Article 12 Shall the Town raise the sum of \$4,266 (four thousand two hundred and sixty-six dollars) as an appropriation to the Clara Martin Center for the purpose of providing behavioral health care services?
- Article 13 Shall the Town raise the sum of \$3,200 (three thousand two hundred dollars) as an appropriation to the Tri-Valley Transit (formerly Stagecoach) for the purpose of providing scheduled bus runs as well as door-to-door transportation services?
- Article 14 Shall the Town raise the sum of \$1,400 (fourteen hundred dollars) as an appropriation to Senior Solutions for the purpose of providing services and resources for aging in Southeastern Vermont?
- Article 15 Shall the Town raise the sum of \$1,388 (thirteen hundred and eighty-eight dollars) as an appropriation to the Public Health Council of the Upper Valley for the purpose of providing shared public health initiatives and services within a variety of health networks?
- Article 16 Shall the Town raise the sum of \$1,300 (thirteen hundred dollars) as an appropriation to Safeline for the purpose of providing services to women and children experiencing domestic and sexual violence?
- Article 17 Shall the Town raise the sum of \$750 (seven hundred fifty dollars) as an appropriation to the Orange County Parent Child Center for the purpose of providing family support and outreach programming?
- Article 18 Shall the Town raise the sum of \$500 (five hundred dollars) as an appropriation to the Orange County Restorative Justice Center for the purpose of addressing legal and conflict issues as well as the needs of harmed parties?
- Article 19 Shall the Town raise the sum of \$400 (four hundred dollars) as an appropriation to WISE for the purpose of ending gender-based violence through advocacy, prevention, education, and related services?
- Article 20 Shall the Town raise the sum of \$300 (three hundred dollars) as an appropriation to The Family Place for the purpose of supporting families with children through a variety of programs?
- Article 21 To transact any other business of the Town.

Town of Thetford Social Services Appropriation Request Form*

*All questions must be completed for the application to be considered. Please feel free to append additional information/pages. Send the completed form to the selectboardassistant@thetfordvt.gov.

- 1) Name, address and contact information for the organization:

Orange County Parent Child Center
693 VT Route 110
Tunbridge, VT 05077

- 2) What does your organization do in general, and for Thetford specifically:

OCPC's programs include: Children's Integrated Services Family Support and Family Support Nursing, Welcome Baby visits, free community playgroups, Kids Place supervised visitation and exchanges, Families Learning Together program, Early Care & Education for children 6 weeks to 6 years, parent education, kinship care support groups, and resource & referral services.

Residents of Thetford accessed community events, enrolled in our Early Childhood Program, attended playgroup, and accessed family assistance funds, our diaper bank, as well as our food bank. Residents also received support through our Children's Integrated Services program.

- 3) What percentages of your services go to Thetford? (If your organization serves multiple towns, please calculate the percentage using the 2020 Census.):

Residents from Thetford under the age of 18 represented 11% of children served by our organization, while those over the age of 18 represented 8.5% of the adult population served.

- 4) What percentage does the appropriation that you are requesting represent in your annual budget?

- 5) Please attach a copy of your budget for the current and next fiscal year.

**Please note that you have the right to appear before the Selectboard in person.
Your request will be considered regardless of whether you choose to attend.**

		ECE						0.00
Chipmunks	Andrea Wilkins	ECE	38.00	23.00			45,448.00	0.00
	Morgan Goodrich	ECE	37.50	14.00			27,300.00	
	Breanna Smith	ECE	39.00	15.00			30,420.00	
							0.00	
Foxes		ECE					0.00	
		ECE					0.00	
		ECE					0.00	
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Bears	Summer Spaulding	ECE	37.50	18.00			35,100.00	
	Chuck Howe	ECE	37.50	20.00			39,000.00	
	Alexia Russell	ECE	40.00	15.00			31,200.00	
	Linda Clark	ECE/Sub	16.00	16.00			13,312.00	
Couch	Vacant						0.00	
Kitchen	Lisa Alexander	ECE	38.00	18.00			35,568.00	
	Substitutes	ECE						
							461,383	56.51%
							816,494.12	



Selectboard Regular Meeting *Draft* Minutes

Thetford Town Offices

(w/Virtual Attendance Option)

Monday, December 19, 2022 7:00 PM

Selectboard members present: Sharon Harkay (Chair), Li Shen (Vice-Chair), Mary Bryant, David Goodrich, Steve Tofel (via Conference Call)
Others present: Town Manager Bryan Gazda (via Conference Call), Selectboard Assistant Martie Betts

Participating community members: Denkanikota Mani, Kaja Lakshmi, Christopher Watts, Renata Watts, Erika Ko, Garrett Hack, Carolyn Hack, Eric Lafayette (via Conference Call), Attorney Margaret Jacobs (via Conference Call)

Sharon Harkay called the meeting to order at 7:05 PM.

1. Agenda Review

No changes to the agenda.

2. Notes from the Selectboard Chair

Sharon reminded everybody that January meetings will be on the 2nd and 4th Mondays. The Town Meeting warrant needs to be completed and approved at the January 23rd meeting. As of last Wednesday, there were 180 respondents for the ARPA survey. Announcements will continue to go out and the deadline for submission is January 15th.

Mary Bryant has put together a Restorative Justice Information meeting, to be held at the Thetford Center Community Building. When Mary arrived, she confirmed the date as January 14th from 10 AM to 12 PM.

3. Town Manager Report – Bryan Gazda

1. Stowell Road Bridge Update

Stowell Bridge is now open. There is still some work to be done along the stream bed, which will be held off until the spring.

2. AT&T Cell Tower Update

Bryan has not heard a response from AT&T on the status of the tower.

3. Storm Event

Bryan and EMS Director Mariah Whitcomb started communication on Saturday morning. The generator at Thetford Elementary School is not operable but a repair person from Yankee Generator should be there on Thursday to fix it. Rain and high winds are expected on Friday, and then a severe drop in temperature. Bryan wants the school to be open as an emergency shelter if needed. Sharon noted that Fairlee didn't have a warming shelter open during this last storm either. Bryan said there does seem to be a little bit of a disconnect at the state level. There should have been more state coordination involved in this. Steve Tofel said it appears that the emergency plan revolves around the internet, and they should be revisiting our plans for this type of situation in the future. Sharon agreed.



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4. Public Comment

No public comment.

5. Review of Proposal from EEI with Erica Ko and Eric Lafayette

The Selectboard reviewed the latest proposal from EEI. There was discussion around the increase in electrical which was caused by an error in the original budget estimate, and an added increase in amperage.

David Goodrich and Steve Tofel expressed dissatisfaction with EEI's process and changes to proposals.

There was discussion about the added heat pump hot water heater and the need for it.

There was discussion about the original purpose for the system change; was it to be completely off fossil fuels or to create comfort for the employees as the current system is very ineffective.

The warranties were discussed.

Motion by Sharon Harkay that we accept the EEI quote without the added heat pump water heater, for \$257,133.00, and give the Town Manager authority to sign any documents that need to be signed.

There was more discussion.

Garrett Baxter suggested using on-demand hot water heaters right in the rooms where needed.

The VOTE was called by Sharon. Mary Bryant – in favor, Li Shen – in favor, David Goodrich – opposed, Steve Tofel – abstain, Sharon Harkay – in favor. **Motion passed (3-1-1).**

6. Possible Appointment to the Conservation Commission

Motion by Li Shen to appoint Janet Dowell to complete the remaining term of Kate Milligan.

VOTE by roll call; Mary Bryant – in favor, Li Shen – in favor, Sharon Harkay – in favor, David Goodrich – in favor, Steve Tofel – in favor. **Motion passed unanimously.**

7. Discussion of the Jackson Brook Road Research by Sharon Harkay and Next Steps

Attorney Margaret Jacobs, representing Denkanikota Mani and Kaja Lakshmi was brought in via conference call.

Sharon explained what the order of and goal of the discussion would be.

Sharon explained her research and report to the Selectboard and asked the Selectboard for any questions or comments. The question is whether the town owns the road up to the Mani's property or whether it ends sooner than that. It is not up to us to decide who does own that piece of land, if not the Town, but rather up to attorneys. Then what is the next step.

The Selectboard discussed the materials Sharon presented.

The Selectboard agreed that the next step would be to contact an attorney and hire a surveyor.

Sharon then opened up the discussion to the landowners. D R Mani said he was in favor of the proposal to hire a surveyor. Attorney Margaret Jacobs said that if the Selectboard wants to determine where the discontinued portion of the road is, then they need a surveyor more than they need a lawyer.

Carolyn Hack said she was representing both abutting neighbors. She went through research that they had done, including information from Attorney Paul Gillies, the foremost old roads lawyer in Vermont, working out of Barre.



1 Sharon Harkay ended the discussion a few minutes after 9:00 PM.
2 Carolyn said that the abutters would ask the Selectboard to follow the process and agreed that a
3 surveyor needs to be hired.

4

5 **8. Consideration to Grant Authority to the Town Manager for Underground Utility**
6 **Lines and Review of Request**

7 **Motion** by David Goodrich to grant authority to the Town Manager to give permission for
8 underground utilities in the Town's right-of-way and inform the Selectboard when the requests
9 are received. **VOTE by Roll Call**; Steve Tofel – in favor, Mary Bryant – in favor, Li Shen – in
10 favor, Sharon Harkay – in favor, David Goodrich – in favor. **Motion passed unanimously.**

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12 **9. Review of DRAFT Pedestrian Bridge Letter to Kevin Geiger**

13 The Selectboard agreed to the draft and a formal copy will be printed on the town letter head for
14 Selectboard chair to sign and mail.

15

16 **10. Warrants and Minutes**

17 #48.1 \$5,502.66

18 **Motion** by Sharon Harkay to approve the warrants as presented. VOTE by Roll call: Mary
19 Bryant – in favor, Li Shen – in favor, Sharon Harkay – in favor, David Goodrich – in favor,
20 Steve Tofel – in favor. **Motion passed unanimously.**

21 **Motion** by Mary Bryant to accept the Selectboard meeting minutes as amended for December
22 5th, 2022, December 12th, 2022 and December 14th, 2022. VOTE: all in favor. **Motion passed**
23 **unanimously.**

24

25 **11. Anticipated Executive Session to Discuss the Evaluation/Discipline/Dismissal of a**
26 **Public Officer per 1 V.S.A. §313(a)(3)(4) and discuss Department of Public Works**
27 **Contractual Agreement Concerning Health Benefits per 1 V.S.A. § 313(a)(1).**

28 **Motion** by Sharon Harkay to enter Executive Session at 9:28 PM to discuss the evaluation,
29 discipline or dismissal of a public officer per 1 V.S.A. §313(a)(3)(4) and to discuss the DPW's
30 contractual agreement concerning health benefits per 1 V.S.A. §313(a)(1) and to invite the
31 Planning Commission Chair and Town Manager to the discussion. VOTE by roll call: Mary
32 Bryant – in favor, Li Shen – in favor, David Goodrich – in favor, Steve Tofel – in favor, Sharon
33 Harkay – in favor. **Motion passed unanimously.**

34 **Motion** by Sharon Harkay to exit Executive Session at 10:45 PM. VOTE: all in favor.

35 The Selectboard will invite a member of the Planning Commission to an Executive Session on
36 January 9th, 2023.

37 The Selectboard Chair will contact the Town Attorney for clarification of the words "primary"
38 indemnity plan, and also "single coverage" in the DPW contract.

39

40 **12. Adjourn**

41 **Motion** by Steve Tofel to adjourn the meeting at 10:47 PM. VOTE: all in favor.

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